

UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

In re:

EDRIE A. PFEIFFER, ESQUIRE.

Miscellaneous Proceeding 16-00703-SCS

ORDER GRANTING MOTION FOR ORAL ARGUMENT

This matter comes before the Court upon the Motion for Oral Argument (the “Motion”), filed on July 28, 2017, by Bernard J. DiMuro, counsel for Edrie A. Pfeiffer, Esquire. In the Motion, Ms. Pfeiffer requests that the Court schedule oral argument relating to the Final Hearing held June 27, 2017, on the Order to Show Cause issued by the Court on September 27, 2016.

In the Motion, Ms. Pfeiffer reasons that oral argument is needed because the nature of this proceeding precludes her the opportunity to reply to the concerns of an opposing party. Ms. Pfeiffer submits that conducting oral argument would enable her to ensure that she has addressed all of the Court’s concerns as set forth in the Order to Show Cause.

At the conclusion of Ms. Pfeiffer’s evidence at the June 27, 2017 hearing, the Court inquired with Mr. DiMuro as to his preference to submit his closing argument orally or in writing. Transcript of June 27, 2017 Final Hearing, at 106. Mr. DiMuro indicated he wished to submit a written closing argument. *Id.* The Court permitted Mr. DiMuro thirty (30) days within which to submit his closing argument. *Id.* at 107. Mr. DiMuro filed a post hearing brief timely, on July 27, 2017. Post Hearing Brief, Misc. Proc. 16-00703-SCS, entry 35, filed July 27, 2017. The request for oral argument was not mentioned in the post hearing brief.

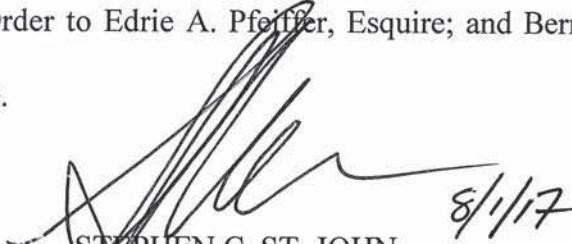
Despite the initial request to provide a closing argument in writing, and her counsel having timely filed a written closing argument, Ms. Pfeiffer now requests this Court to provide her with a

further opportunity to argue her position on the instant matter. Procedurally, the nature of the instant matter remains unchanged since June 27, 2017. The only change appears to be one of position, from the opportunity to submit a written closing argument to desiring an opportunity to both submit a written closing argument and to provide oral argument to the Court. The Motion does not address why the instant request was not made earlier, nor was it addressed or reserved at the Final Hearing.

It is undisputed that the request is belated. While the Court is reluctant to schedule yet another opportunity for the presentation of argument in this matter, the Court will, out of an abundance of fairness, grant the Motion and permit Ms. Pfeiffer a final opportunity to present her argument.

Accordingly, the Court ORDERS that the Motion for Oral Argument is GRANTED. The Courtroom Deputy for the undersigned will contact Mr. DiMuro for the purpose of scheduling the oral argument.

The Clerk shall mail a copy of this Order to Edrie A. Pfeiffer, Esquire; and Bernard J. DiMuro, counsel for Edrie A. Pfeiffer, Esquire.


STEPHEN C. ST. JOHN
Chief United States Bankruptcy Judge

Entered on Docket: August 1, 2017